Court no.3

Contempt Petition no. 173 of 2001

Chokhey Singh and others ---------- Petitioners

Versus

Sri Manoj Kumar and others------- Respondents.

Hon'ble Irshad Hussain, J.

This is a contempt petition alleging that the order of the court passed on 14.3.2001 has not been complied with by the respondents. The petition was filed with the allegations that the compliance of transfer order dated 25.5.2000 was not made by the respondents and that the petitioners were not relieved to the State of Uttar Pradesh. In the petition a conditional order was passed giving option to the respondents either to pass fresh transfer order of the petitioners or to relieve the petitioners in compliance of the earlier transfer order. The petition was filed prior to the creation of State of Uttaranchal and the instant order was passed on 14.3.2001. Subsequently, as is evident from para no.4 of the counter affidavit, the order of relieving was cancelled per order dated 26.10.2000 and therefore, there appear either no need to pass fresh order of transfer of the petitioners from Udham Singh Nagar or to pass the order of relieving the petitioners to U.P. In the situation like this the question of non-compliance of order of the court does not arise and the contempt petition is misconceived.

The contempt petition is dismissed and the notice is discharged.

29.10.2002 (Irshad Hussain, J.)
MPS